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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 **DAVID M. McDONOUGH,**

Petitioner,

15  
16 v.

17 **JAMES A. YATES,**

Respondent.  
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19

C 07-2469 MMC (PR)

**[HABEAS CORPUS;  
28 U.S.C., 2254]**

**EX PARTE APPLICATION FOR  
ENLARGEMENT OF TIME**

20 Respondent requests a 60-day enlargement of time, to and including October 12, 2007,  
21 within which to file a response to the petition for writ of habeas corpus. As explained in the  
22 accompanying declaration, the Deputy Attorney General assigned to represent the Warden in this  
23 matter has been working on other matters, was recently out of the country for nearly six weeks, and  
24 has not been able to complete a response. No stipulation has been sought. Respondent has made  
25 no previous extension request.

26 WHEREFORE, respondent requests that this Court grant an enlargement of time to and  
27 including October 12, 2007, to file a response to the petition.

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2 Dated: August 13, 2007

3 Respectfully submitted,

4 EDMUND G. BROWN JR.  
Attorney General of the State of California

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10 /s/ **William Kuimelis**

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